



Attorney's Docket No.: 11983-004001

#13  
12/13/02

TECH CENTER 1600/2800

DEC 12 2002

RECEIVED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Daniel A. Vallera et al.      Art Unit : 1643  
Serial No. : 09/579,738      Examiner : Janice Li  
Filed : May 26, 2000  
Title : CELL-MEDIATED TARGETING OF TOXINS TO PATHOGENIC CELLS

**BOX AF**

Commissioner for Patents  
Washington, D.C. 20231

NOTICE OF APPEAL

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the action dated July 3, 2002, finally rejecting claims 1-34 and 36-43.

A petition for an extension of time under 37 CFR §1.136 to extend the time to respond to the final rejection for 2 months to and including December 3, 2002 is enclosed.

A check in the amount of \$160 for the appeal fee is enclosed. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 12/3/02

*Stuart Macphail*

Stuart Macphail, Ph.D.  
Reg. No. 44,217

Fish & Richardson P.C.  
45 Rockefeller Plaza, Suite 2800  
New York, New York 10111  
Telephone: (212) 765-5070  
Facsimile: (212) 258-2291

30126283.doc

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

12/10/2002 CNGUYEN 00000036 09579738

CP FC:2401

160.00 OP

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

December 3, 2002  
Date of Deposit  
Signature *Gina Maldonado*

Gina Maldonado  
Typed or Printed Name of Person Signing Certificate